

From: Kenny Pearce
To: Microsoft ATR
Date: 1/23/02 6:34pm
Subject: Microsoft Settlement

To whom it may concern:

With regard to the proposed settlement of the Microsoft anti-trust case and the period of public comment required under the Tunney Act, I believe that the current proposition fails to address many issues in Microsoft's conduct. I would like to draw your attention to one such issue which, in addition to failing to be addressed by the proposed settlement was, to my knowledge, never addressed in court at all.

Microsoft's license for it's Windows operating system prevents PC manufacturers from utilizing a capability of many pieces of software, including LILO, the LInux LOader, which is called "dual-boot". This allows a PC to have two operating systems installed, and then ask the user which to use on startup. At one point, Microsoft threatened to revoke it's license agreement with certain PC manufacturers who sold computers pre-installed with a dual-boot between MS Windows and BeOS. This stifles competition in the operating system market terribly, and is probably part of the cause of BeOS's demise as a PC operating system.

Additionally, many users of the Linux operating system on PCs use dual-boot technology to allow them to use Windows programs natively, as emulation is very slow on some systems, and does not work with all MS Windows programs. If manufacturers were allowed to sell dual-booting machines with Windows and Linux it would greatly encourage users who are discouraged by the Linux's reputaton of being difficult to install to try using it, increasing Linux's ability to compete. This would also allow companies to make a profit in the sale of pre-installed Linux PCs, which many believe is currently impossible.

Because of Microsoft's actions, users who today wish to use Linux on a PC must buy what Microsoft terms a "naked PC", that is, one without any operating software, or else pay for an expensive (~\$100) license from Microsoft which will never be used. In the case of so-called "naked PCs", such systems are difficult to find and Microsoft is reputed to have offered computer retailers "incentives" for reporting the personal information of purchasers of these systems. Ostensibly, Microsoft believes that the only valid reason for purchasing a computer without an operating system would be to install one illegally in violation of the license agreement. Obviously, this is not the case and most likely these actions by Microsoft are intended to stifle the possible competitor they see in Linux.

Please consider these issues in your upcoming decision.

Thank you,

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"We are all slaves. Freedom is merely the right to choose your master."